

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CAROLYN EGAN, on behalf of herself
and all others similarly situated,

Index No. 07 CV 11285

Plaintiff(s),

AFFIDAVIT OF SERVICE

-against-

MORGAN STANLEY & CO. INCORPORATED,
MORGAN STANLEY, THE INVESTMENT
COMMITTEE OF MORGAN STANLEY, et al.,
Defendant(s).

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STATE OF NEW YORK)
S.S.:
COUNTY OF NEW YORK)

HECTOR FIGUEROA, being duly sworn, deposes and says that he is over the age of eighteen years, is employed by the attorney service, DLS, INC., and is not a party to this action.

That on the 20th day of December 2007, at approximately 2:50 p.m., deponent served a true copy of the **SUMMONS IN A CIVIL ACTION, CLASS COMPLAINT FOR VIOLATIONS OF THE EMPLOYEE RETIREMENT INCOME SECURITY ACT, INDIVIDUAL PRACTICES OF JUDGE ROBERT W. SWEET, INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE ANDREW J. PECK AND 3RD AMENDED INSTRUCTIONS FOR FILING AND ELECTRONIC CASE OR APPEAL** upon Cordell G. Spencer at 1633 Broadway, New York, NY 10019, by personally delivering and leaving the same with Scott Tucker at that address.

Scott Tucker is a white male, approximately 50 years of age, stands approximately 5 feet 10 inches tall and weighs approximately 160 pounds with brown hair and light eyes wearing glasses.

Hector Figueroa
HECTOR FIGUEROA #870141

Sworn to before me this
24th day of December, 2007

A.C.
NOTARY PUBLIC

EVAN COHAN
NOTARY PUBLIC & ATTORNEY AT LAW OF NY
NO. 1802499357
QUALIFIED IN ROCKLAND COUNTY
PRACTICING ALSO IN NEW YORK COUNTY
100 E. 42nd Street, Suite 1500, New York, NY 10017